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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/605,489	10/02/2003	Martin Kin-Fei Lee	129284	2488
27127	7590	08/06/2004	EXAMINER	
HARTMAN & HARTMAN, P.C. 552 EAST 700 NORTH VALPARAISO, IN 46383			NGUYEN, CHAU N	
			ART UNIT	PAPER NUMBER
			2831	

DATE MAILED: 08/06/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary**Application No.**

10/605,489

Applicant(s)

LEE ET AL.

Examiner

Chau N Nguyen

Art Unit

2831

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 June 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-40 is/are pending in the application.
- 4a) Of the above claim(s) 21-40 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 October 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>10/02/03</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

1. Applicant's election without traverse of Claims 1-20 in the reply filed on June 22nd, 2004 is acknowledged.

Drawings

2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: "50", Figure 6. Corrected drawing sheets, or amendment to the specification to add the reference character(s) in the description, are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Haga et al. (JP2-17841).

Haga et al. discloses a stator bar for an electric machine, the stator bar having an outer insulation surrounding a perimeter thereof and extending along a longitudinal length thereof, the outer insulation comprising at least one member (16) containing an electrical insulation material and comprising an opposing pair (16a, 16b) of edges parallel to the longitudinal length of the stator bar, the edges being attached together so that the perimeter of the stator bar is entirely enclosed by the at least one member. Regarding the method limitation, extruded, it has been held that during examination, the patentability of a product claim is determined by the novelty and nonobviousness of the claimed product itself without consideration of the process for making it which is recited in the claim. In re Thorpe, 227 USPQ 964.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

7. Claims 1, 3-7, 13 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's Admitted Prior Art (AAPA, Figure 1) in view of Ushiyama et al. (6,329,602).

Figure 1 discloses the invention substantially as claimed except for the at least one member (15) comprising an opposing pair of edges parallel to the

longitudinal length of the stator bar, wherein the edges are welded together.

Ushiyama et al. discloses a tube for wiring harness. Ushiyama et al. discloses an insulating member (30, Fig. 12) comprising an opposing pair of edges parallel to each other in the longitudinal length, wherein the edges are welded together. It would have been obvious that instead of wrapping insulating tape to form the member (15), one skilled in the art would simplify the step of enclosing the stator bar by using the insulating member taught by Ushiyama et al. to enclose the stator bar of Figure 1 (re claims 1, 3 and 13).

The combination of Figure 1 and Ushiyama et al. also discloses the member comprising a single member that defines each of the opposing edges that are attached together (re claim 4), the member having a rectangular outer perimeter defining four corners and four sides therebetween (re claim 5), the opposing pair of edges being located on one of the sides of the outer perimeter of the single member (re claims 7 and 17). Re claim 6, it would have been obvious to one skilled in the art that depending on the specific use of the single member, the opposing pair of edges can be located along one of the four corners of the outer perimeter of the single member since it has been held that rearranging parts (or the edges) of an invention involves only routine skill in the art. *In re Japikse*, 86 USPQ 70.

8. Claims 1, 2, 8-16 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Krenzer et al. (5,962,945) in view of Muto (4,909,638).

Krenzer et al. discloses the invention substantially as claimed including the at least one member 9 being an extruded plastic sleeve (col. 3, lines 50-52).

Krenzer et al. does not disclose the at least one member containing an opposing pair of edges parallel to the longitudinal length of the stator bar, wherein the edges comprise interlocking features that physically secure the edges together (re claims 1, 2, 13, 14). Muto discloses a covering member comprising an opposing pair of edges parallel to each other in the longitudinal length, wherein the edges comprise interlocking features that physically secure the edges together (Figs 1-14). It would have been obvious to one skilled in the art to modify the covering member of Krenzer et al. to have a pair of opposing edges which comprise interlocking features that physically secure the edges together, as taught by Muto, to ease the step of enclosing the stator bar.

The modified device of Krenzer et al. also discloses the at least one member comprising two members, each defining a corresponding one of the opposing edges (re claims 8 and 9), each of the members being C-shaped (see Krenzer et al.) (re claim 10), slots (recess) defined in each of the opposing edges so that each slot of a first of the opposing pair of edges opposes a corresponding one of the slots of

a second of the opposing pair of edges and a member (projection 2) located in each pair of slots to mechanically secure together the edges (re claims 11, 16), locking features comprising a projection on one of the opposing pair of edges and a recess defined in a second of the opposing pair of edges (re claim 15), the at least one member comprising two members, each of the two members defining a corresponding one of the pair of edges and each being C-shaped (re claim 19). Re claim 12, it would have been obvious to one skilled in the art to use filled thermoplastic material for the at least one member of Krenzer et al. to meet the specific use of the resulting device since filled thermoplastic material is known in the art for being used to cover stator bar. Examiner takes Official Notice.

9. Claims 17, 18 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Krenzer et al. in view of Muto as applied to claim 13 above, and further in view of Emery (6,420,812).

The combination of Krenzer et al. and Muto discloses the invention substantially as claimed except for a conductive material on an interior and an exterior surface of the insulation material. Emery discloses a member for enclosing stator bar. Emery discloses the member comprising an insulation material (26) whose interior surface and exterior surface are covered by a

conductive material (24,28). It would have been obvious to one skilled in the art to cover the interior and exterior surfaces of Krenzer's insulation material with a conductive material to provide an inner and outer corona protector respectively for the stator bar as taught by Emery.

Cited Art

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Asick, Pascher, Tupper et al, disclose sleeve having interlocking features. Markovitz et al., Richardson et al., and Osono et al. disclose stator bar with ground insulation.

Communication

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chau N Nguyen whose telephone number is 571-272-1980. The examiner can normally be reached on Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dean Reichard can be reached on 571-272-2800 ext 31. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'Chau N Nguyen', with a stylized flourish at the end.

Chau N Nguyen
Primary Examiner
Art Unit 2831